

Maritime spaces according to the **United Nations Convention on the Law of the Sea** (Montego Bay, 1982; **UNCLOS**)

# SUBMARINE CABLES AND PIPELINES

## *Article 79*

### *Submarine cables and pipelines on the continental shelf*

1. All States are entitled to lay submarine cables and pipelines on the continental shelf, in accordance with the provisions of this article.

2. Subject to its right to take reasonable measures for the exploration of the continental shelf, the exploitation of its natural resources and the prevention, reduction and control of pollution from pipelines, the coastal State may not impede the laying or maintenance of such cables or pipelines.

3. The delineation of the course for the laying of such pipelines on the continental shelf is subject to the consent of the coastal State.

4. Nothing in this Part affects the right of the coastal State to establish conditions for cables or pipelines entering its territory or territorial sea, or its jurisdiction over cables and pipelines constructed or used in connection with the exploration of its continental shelf or exploitation of its resources or the operations of artificial islands, installations and structures under its jurisdiction.

5. When laying submarine cables or pipelines, States shall have due regard to cables or pipelines already in position. In particular, possibilities of repairing existing cables or pipelines shall not be prejudiced.

**"ALL STATES"**

**RIGHTS OF PROTECTION OF  
THE COASTAL STATE**

**DELINEATION OF THE ROUTE OF  
PIPELINES (NOT CABLES)  
SUBJECT TO THE CONSENT OF  
THE COASTAL STATE**

*Article 113*  
*Breaking or injury of a submarine cable or pipeline*

Every State shall adopt the laws and regulations necessary to provide that the breaking or injury by a ship flying its flag or by a person subject to its jurisdiction of a submarine cable beneath the high seas done wilfully or through culpable negligence, in such a manner as to be liable to interrupt or obstruct telegraphic or telephonic communications, and similarly the breaking or injury of a submarine pipeline or high-voltage power cable, shall be a punishable offence. This provision shall apply also to conduct calculated or likely to result in such breaking or injury. However, it shall not apply to any break or injury caused by persons who acted merely with the legitimate object of saving their lives or their ships, after having taken all necessary precautions to avoid such break or injury.

**“WILFULLY”**

**“CULPABLE NEGLIGENCE”**

**PUNISHABLE OFFENCE**

**GAZZETTA UFFICIALE**  
DELLA REPUBBLICA ITALIANA

PARTE PRIMA

Roma - Lunedì, 15 settembre 2003

SI PUBBLICA TUTTI  
I GIORNI NON FESTIVI

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N. 150/L

DECRETO LEGISLATIVO 1° agosto 2003, n. 259.

## Codice delle comunicazioni elettroniche.

### TITOLO IV

#### TUTELA DEGLI IMPIANTI SOTTOMARINI DI COMUNICAZIONE ELETTRONICA

#### Capo I

#### IMPIANTI SOTTOMARINI

#### Art. 146

##### *Danneggiamenti ai cavi sottomarini di comunicazione elettronica*

1. Chiunque rompe o guasta, entro o fuori delle acque territoriali, un cavo sottomarino od altro apparato di un impianto sottomarino di comunicazione elettronica, legalmente posto e che tocca il territorio di uno o più degli Stati contraenti della convenzione del 14 marzo 1884 od aderenti alla medesima, ed in tal modo interrompe od impedisce, in tutto o in parte, le comunicazioni elettroniche, è punito con la reclusione da uno a tre anni e con la multa da euro 150,00 a euro 1.500,00.

[Convention internationale relative à la protection des câbles sous-marins \(Paris, 14 mars 1884\)](#)

## Convention internationale relative à la protection des câbles sous-marins (Paris, 14 mars 1884)

### Art. 10

...

Lorsque les officiers commandant les bâtiments de guerre ou les bâtiments spécialement commissionnés à cet effet de l'une des Hautes Parties contractantes auront lieu de croire qu'une infraction aux mesures prévues par la présente convention a été commise par un bâtiment autre qu'un bâtiment de guerre, **ils pourront exiger du capitaine ou du patron l'exhibition des pièces officielles justifiant de la nationalité** du dit bâtiment. Mention sommaire de cette exhibition sera faite immédiatement sur les pièces produites.

En outre, des procès-verbaux pourront être dressés par les dits officiers, quelle que soit la nationalité du bâtiment inculpé. Ces procès-verbaux seront dressés suivant les formes et dans la langue en usage dans le pays auquel appartient l'officier qui les dresse; **ils pourront servir de moyen de preuve** dans le pays où ils seront invoqués et suivant la législation de ce pays. Les inculpés et les témoins auront le droit d'y ajouter ou d'y faire ajouter, dans leur propre langue, toutes explications qu'ils croiront utiles; ces déclarations devront être dûment signées.



*Article 110*  
*Right of visit*

1. Except where acts of interference derive from powers conferred by treaty, a warship which encounters on the high seas a foreign ship, other than a ship entitled to complete immunity in accordance with articles 95 and 96, is not justified in boarding it unless there is reasonable ground for suspecting that:

- (a) the ship is engaged in piracy;
- (b) the ship is engaged in the slave trade;
- (c) the ship is engaged in unauthorized broadcasting and the flag State of the warship has jurisdiction under article 109;
- (d) the ship is without nationality; or
- (e) though flying a foreign flag or refusing to show its flag, the ship is, in reality, of the same nationality as the warship.

2. In the cases provided for in paragraph 1, the warship may proceed to verify the ship's right to fly its flag. To this end, it may send a boat under the command of an officer to the suspected ship. If suspicion remains after the documents have been checked, it may proceed to a further examination on board the ship, which must be carried out with all possible consideration.

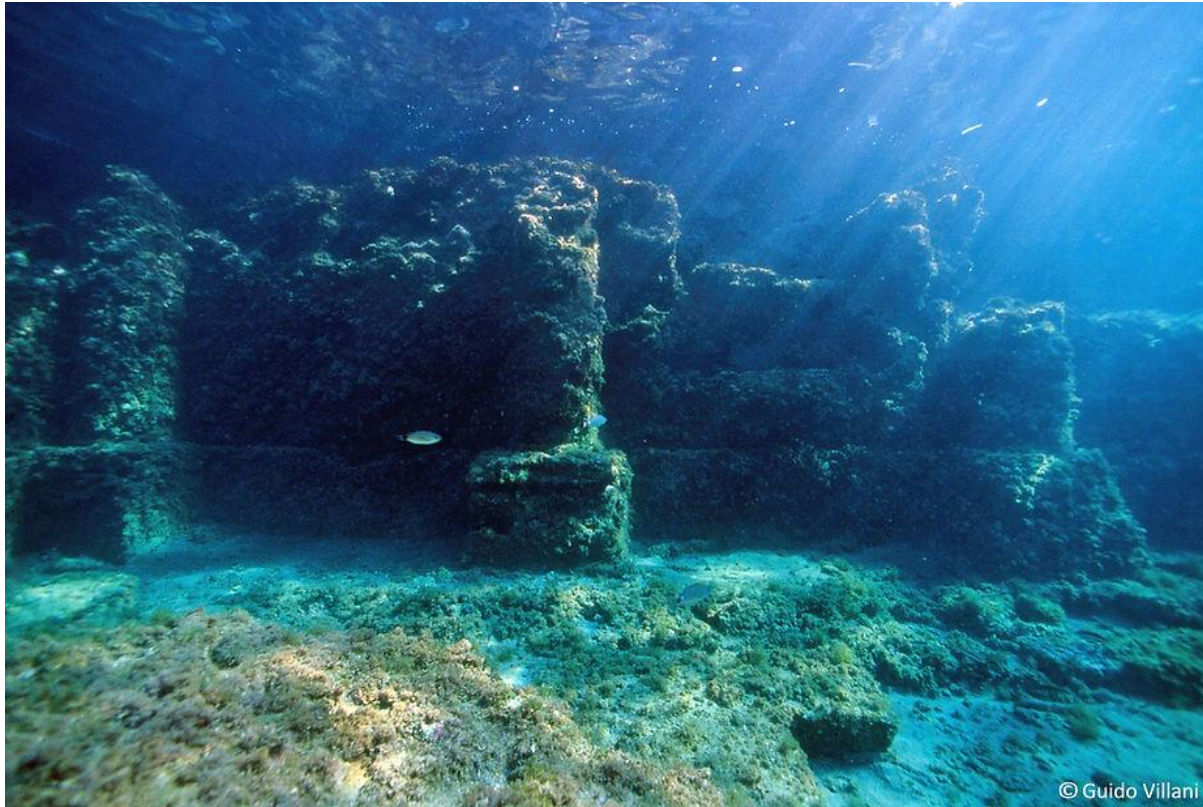
3. If the suspicions prove to be unfounded, and provided that the ship boarded has not committed any act justifying them, it shall be compensated for any loss or damage that may have been sustained.

4. These provisions apply *mutatis mutandis* to military aircraft.

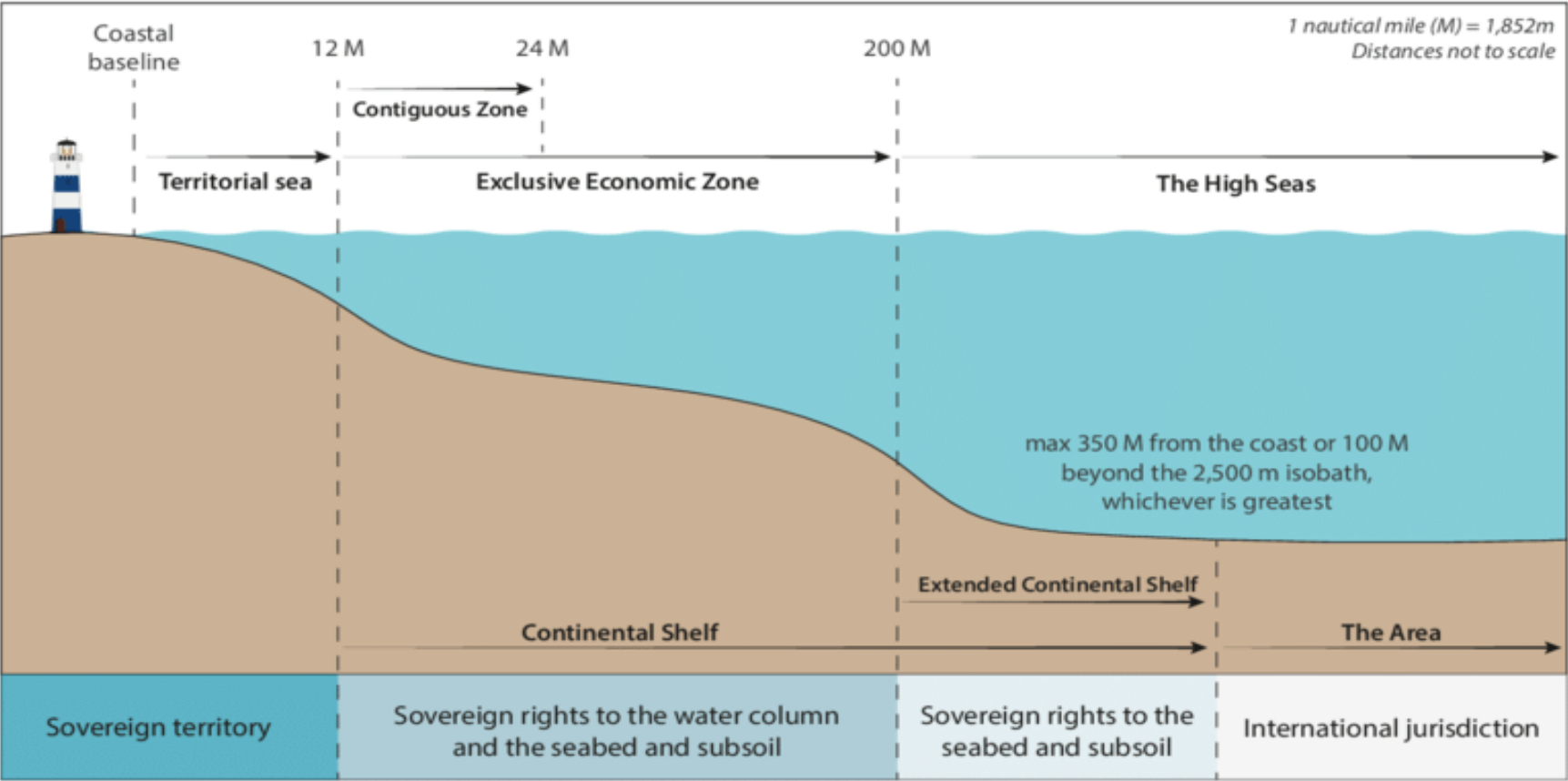
5. These provisions also apply to any other duly authorized ships or aircraft clearly marked and identifiable as being on government service.

**REASONABLE GROUNDS FOR SUSPECTING:**

- PIRACY
- SLAVE TRADE
- UNAUTHORIZED BROADCASTING (qualified)
- SHIP IS WITHOUT NATIONALITY
- SHIP IS HIDING SAME NATIONALITY
- ~~SHIP IS BREAKING OR INJURING A CABLE~~



Colonne sommerse nell'area marina protetta  
*Parco sommerso di Gaiola*  
(Golfo di Napoli)





*Article 303*  
*Archaeological and historical objects found at sea*

1. States have the duty to protect objects of an archaeological and historical nature found at sea and shall cooperate for this purpose.

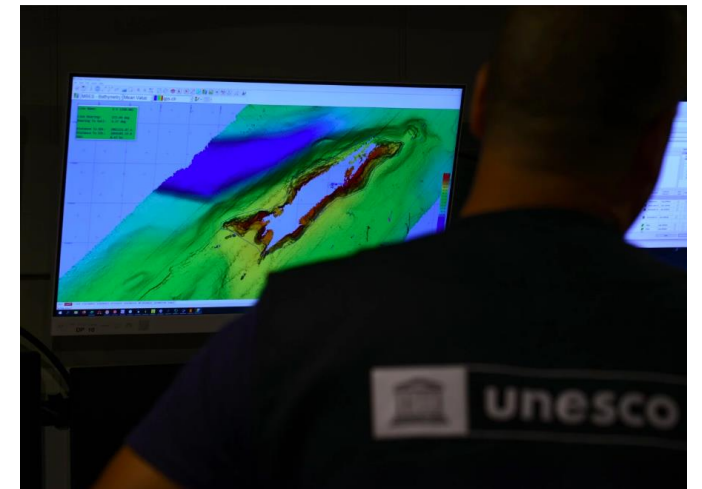
2. In order to control traffic in such objects, the coastal State may, in applying article 33, presume that their removal from the seabed in the zone referred to in that article without its approval would result in an infringement within its territory or territorial sea of the laws and regulations referred to in that article.

3. Nothing in this article affects the rights of identifiable owners, the law of salvage or other rules of admiralty, or laws and practices with respect to cultural exchanges.

4. This article is without prejudice to other international agreements and rules of international law regarding the protection of objects of an archaeological and historical nature.

**“LAW OF SALVAGE”**

**“LAW OF FINDS”**



*“Maritime collectors around the world would have paid thousands of dollars for a piece of the ship.*

*And artifacts could have been easily recovered with Alvin’s powerful robot arm designed to collect biological and geological samples in the deep sea. **How I would have loved a bottle of Titanic champagne for my own wine cellar.***

*But from all our discussions it became clear **the Titanic has no true archaeological value.***

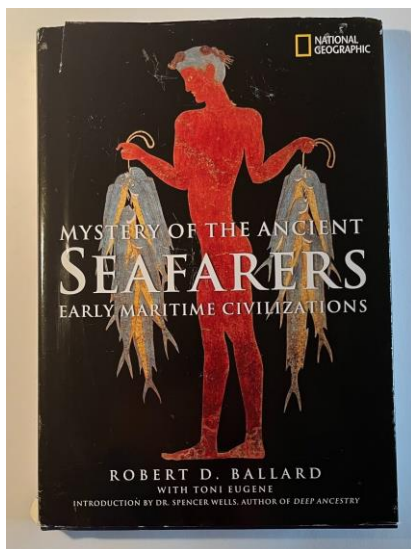
*Although it is tempting to make the comparison, **the Titanic is not a pyramid of the deep.** We knew exactly how the ship was built and what was on board.*

***Recovering a chamber pot or a wine bottle or a copper cooking pan would really just be pure treasure-hunting.***

*My major funder, the Navy, wasn’t interested in using taxpayers’ money for this purpose. Nor was I”.*



Ballard and Archbold, *The Discovery of the Titanic*, 2nd ed., Toronto, 1998, p. 138.



“There are many true unopened ‘pyramids’ in the deep sea. For example, thousands and thousands of ships were lost in the deep basins of the Mediterranean and wait to be discovered, **ships of real archaeological worth**. Their cargoes merit documentation, recovery, and preservation. [...] In the summer of 1997, I will lead an expedition to the Mediterranean that will perform the first-ever excavation of a wreck in deep water. To accomplish this **we plan to mount a powerful pumping system on the U.S. Navy nuclear-powered NR-1 submarine that will vacuum away two thousand years of sediment from three ancient Roman wrecks**”.

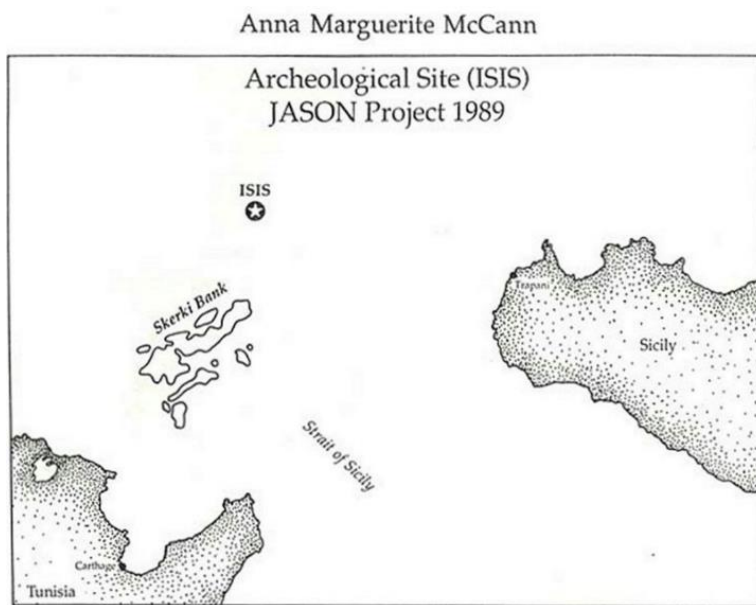


Fig.1. Archeological site ("Isis"), JASON Project 1989.

Ballard and Archbold, *The Discovery of the Titanic*, 2nd ed., Toronto, 1998, p. 221.

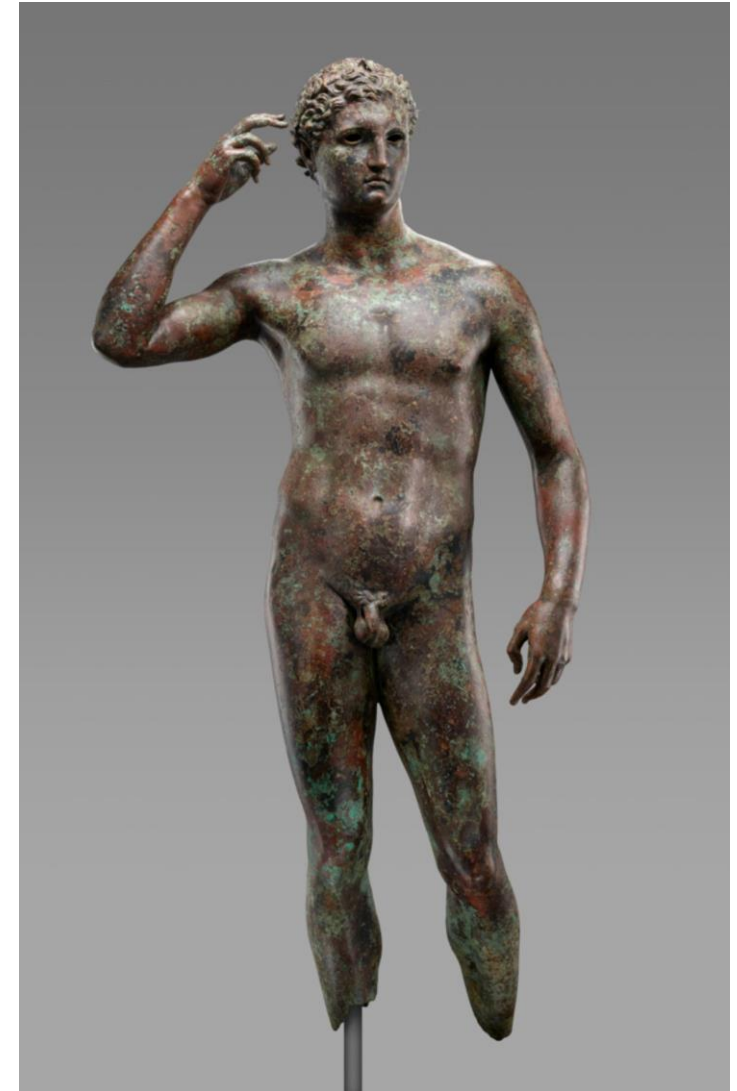


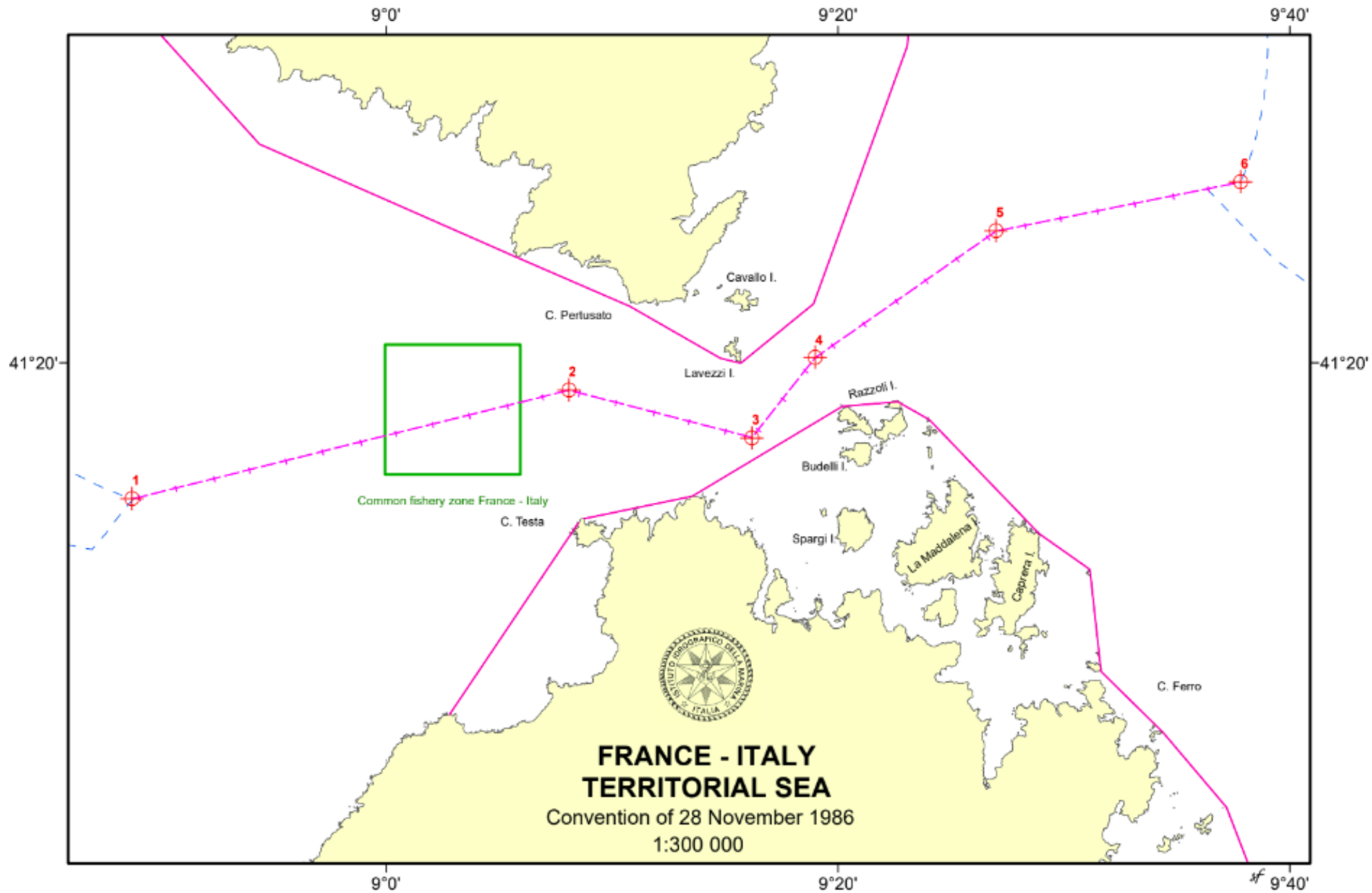
Getty Villa (Malibu, United States)

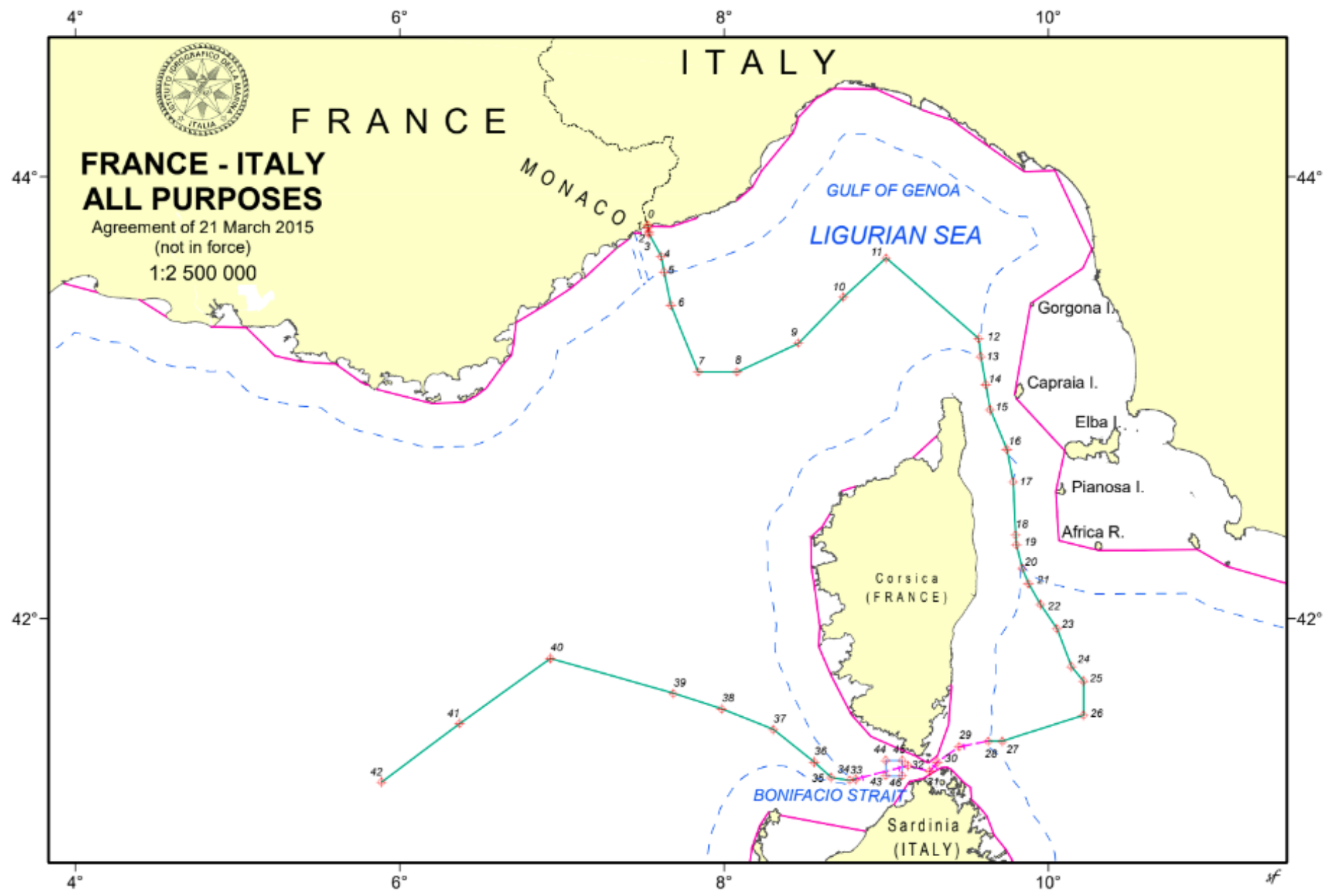
**Restitution**  
News

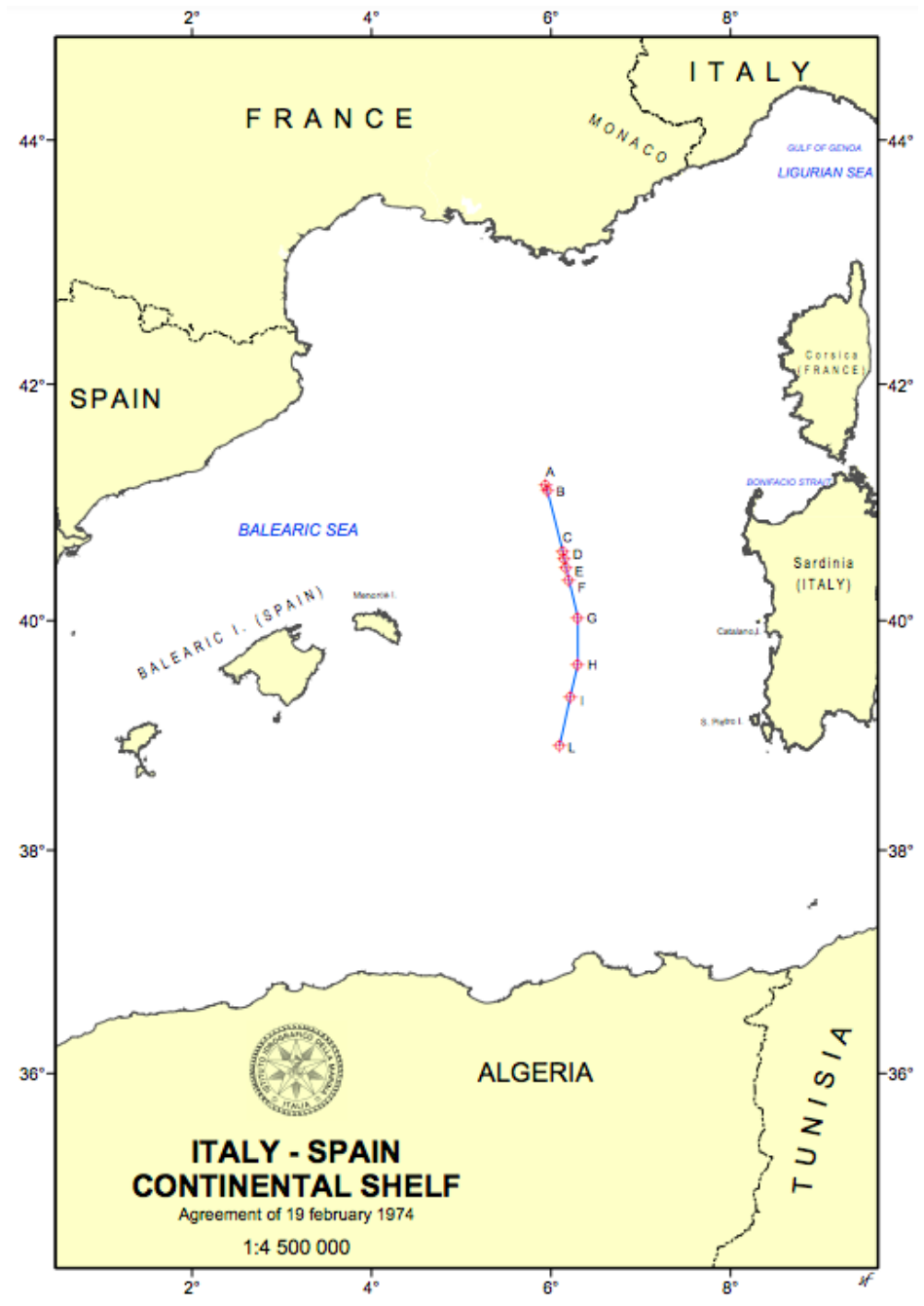
## Italy passes restitution resolution amid renewed calls for return of the 'Victorious Youth' bronze from Getty Museum

Italian senate approved resolution that could pave the way to restitutions as politicians call for return of Ancient Greek bronze also known as Atleta di Fano

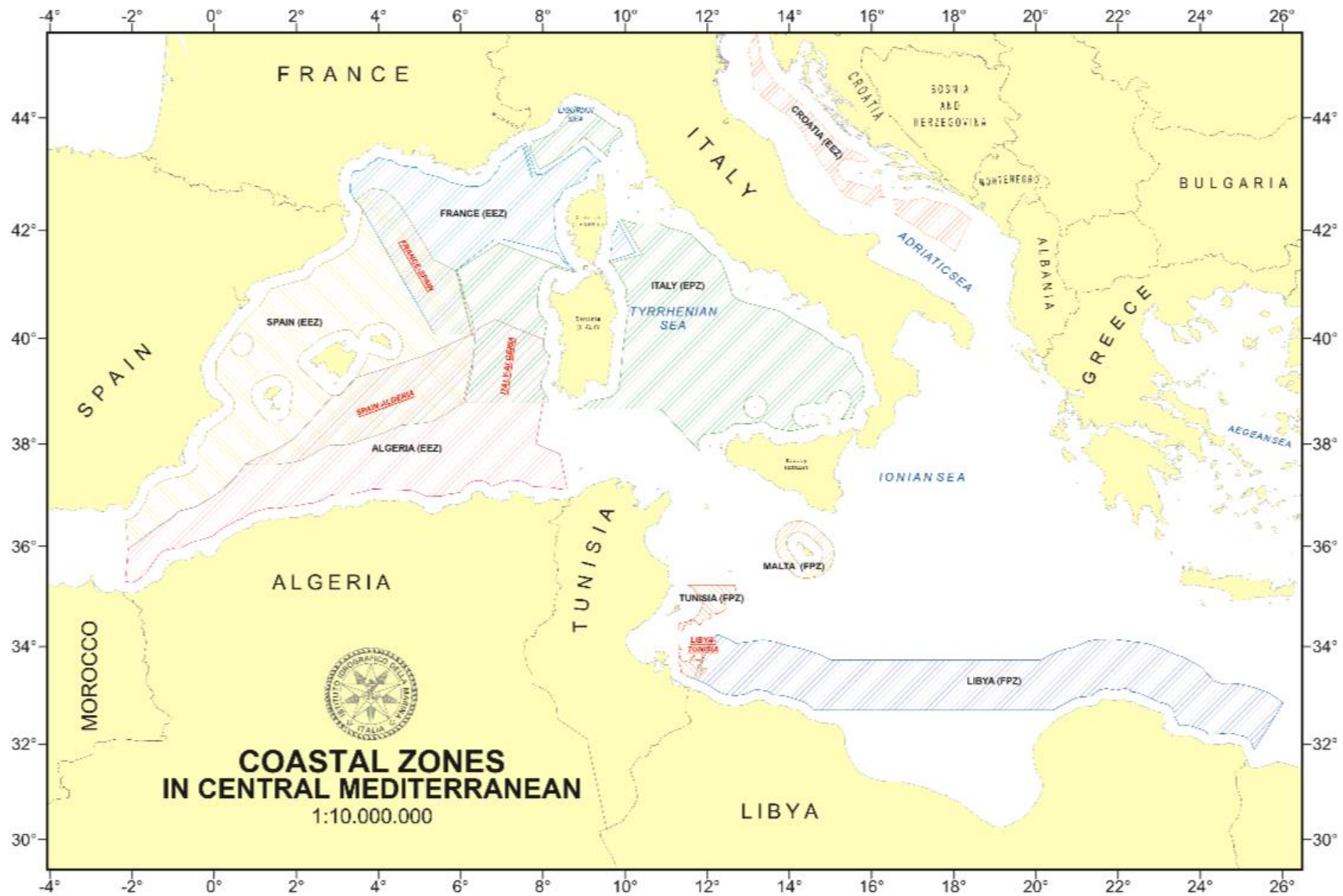












NOTICE: This map represents the lines resulting from the relevant national legislation and does not imply the expression of any opinion on whether they comply with the applicable provisions of international law.

